

## **REMARKS**

### 1. Present Status of Patent Application

In response to the non-final Office Action dated June 18, 2008, Applicants respectfully request reconsideration based on the following remarks and amendments. Claims 8, 12-15, and 19-21 have been amended and claims 1-21 remain pending in the present response. Applicants respectfully submit that the claims as presented are in condition for allowance.

### 2. Response to Rejections of Claims Under 35 U.S.C. § 103

Claims 1-21 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Al-Musallam* ("A Web-Based Approach for Coordinating Architectural Drawings with Other Construction Documents"). Applicants respectfully traverse these rejections.

#### a. Claims 1-7

As provided in independent claim 1, Applicants claim:

A split plat management and assignment system, comprising:  
***receiving logic operable to receive a request from a user to split a plat, the request including information about a location of a congested plat;***

a database coupled to the receiving logic, operable to store the request with any previously received open requests;

***assignment logic coupled to the database, operable to assign an open request to a draftsman and to instruct the database to record the assignment; and***

***completion logic coupled to the database, operable to instruct the database to close an open request responsive to an input from the draftsman.***

(Emphasis Added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Al-Musallam* does not disclose, teach, or suggest at least "receiving logic operable to receive a request from a user to split a plat, the request including

information about a location of a congested plat . . . assignment logic coupled to the database, operable to assign an open request to a draftsman and to instruct the database to record the assignment; and completion logic coupled to the database, operable to instruct the database to close an open request responsive to an input from the draftsman,” as emphasized above.

As stated in *Al-Musallam*, “[t]he main objective of this thesis is to use computer technology to develop a Web-based approach for incorporating information into the architectural drawings of a building construction project. The research will develop a systematic and unified approach for linking building components on the drawings to all the other related document of a construction project including specifications, contracts, schedules, codes and standards, or all other related drawings and details (Figure 1.1). Subjects may include dimensions, materials, zoning, fire and life safety, structural, fire protection, plumbing, mechanical and electrical information along with recommended schedules. The drawings then would provide any building team member with the correct information on all the appropriate documents for a specific building component.” Page 5, section 1.3.

*Al-Musallam* further discloses: “It is difficult to search for information scattered throughout unorganized project documents. Therefore, CoSys develops a platform for the structuring of these documents by creating an organizational framework and automating the process of classifying the documents. The purpose of organizing the documents is to make certain that the process of searching for the right documents, accessing them, and even assigning them to the right construction member is systematic and productive. Organizing the documents also allows the user to easily navigate and explore them.” Page 80, section 4.4

“The, CoSys approach divides the users into different categories and levels. The categories are based on the disciplines, i.e., architect, building owner, general contractor, construction manager, engineer, subcontractor, vendor, etc. Within each category there are also different levels of document accessibility and authorization, including: view documents, make notes and comments, add/edit/delete documents, add/remove project members, and change member accessibility and authorization level.” Page 102, section 5.2.2.

*Al-Musallam* also describes pre-existing software applications for viewing architectural drawings, such as ProjectWise which allows team members to be assigned individual levels and colors, so “everyone sees what the other team members are doing in the same drawing version.” See page 56, Section 3.7.1.

As such, *Al-Musallam* fails to disclose an approach that receives a request from a user to split a plat; that assigns an open request to a draftsman; and that instructs a database to close an open request responsive to an input from the draftsman.

The Office Action states it is old and well known to split congested plats, as evidenced by Applicant’s disclosure. However, in reviewing the background section of Applicant’s disclosure, it is noted that a record maintenance center may alter existing drawing records. See page 2. The process of splitting a congested plat is not described or referenced in the background section.

Further, the Office Action states that a split plat management and assignment system comprising receiving logic operable to receive a request from a user to split a plat, assignment logic operable to assign an open request to a draftsman, and completion logic operable to instruct the database to close an open request responsive to an input from the draftsman is an intended use of systems and methods that are old and well-known and not to be given patentable weight. In response, Applicants respectfully disagree and submit that the claimed subject matter describes a system that performs functions not taught or suggested by cited art. Accordingly, this limitation complies with MPEP 2106 and is entitled to be given patentable weight.

On a related point, the Examiner has taken Official Notice that “it is old and well-known as well as common place to utilize workflow systems/methods to manage the assignment of requests (e.g. drawing change request, tasks) to draftsman (staff, engineers, workers, etc.) and further the assignment of plat related edits, including but not limited to the splitting of congested plats, to draftsman is a well known business practice in the telecommunications industry.” Page 4. In response, Applicants submits that the assignment of a general request to a worker is not analogous to an assignment of a request to split a plat to a draftsman, as described in claim 1. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Per MPEP 2144.03(A), "It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known." Also, per MPEP 2144.03(B), "If such notice is taken, the basis for such reasoning must be set forth explicitly. The Examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge."

As specific factual findings predicated on sound technical and scientific reasoning in support of the conclusion of common knowledge are not provided in the Office Action, the Official Notice and the rejections based upon this finding should be withdrawn. Further, under 37 CFR § 1.104(d)(2), if the rejections are based on facts within the personal knowledge of the examiner, "the data should be stated as specifically as possible, and the facts must be supported, when called for by the applicant, by an affidavit from the examiner. Such an affidavit is subject to contradiction or explanation by the affidavits of the applicant and other persons." Therefore, if this rejection is maintained, Applicants respectfully request that document(s) be provided as support.

For at least these reasons, claim 1 is allowable over *Al-Musallam*. Since claims 2-7 depend from and include the features of claim 1 and recite additional features, claims 2-7 are allowable as a matter of law over the cited art.

Further, regarding claim 3, the Examiner has taken Official Notice that "it is old and well-known as well as common place in the information storage and database management arts to employ the use of data filters, as evidenced in *Al-Musallam* page 108. 'Two arrays to hold the filter information...', so that only specified data or documents are retrieved from a database." Page 6. In response, Applicants respectfully submit that the claimed subject matter describes the viewing of open requests to split a plat by a state in which the plat is located. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Regarding claim 4, the Examiner has taken Official Notice that "it is old and well-known as well as common place to utilize workflow systems/methods to manage the

assignment of requests (e.g. drawing change request, task) to draftsman (staff, engineers, workers, etc.) and further, to employ database management processing capabilities so that only desired or pertinent information is retrieved from a database and the use of data filters so that only specified data or documents are retrieved from a database.” Pages 6-7. In response, Applicants respectfully submit that the claimed subject matter describes the viewing of requests to split a plat that have been assigned to a draftsman. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Regarding claim 5, the Examiner has taken Official Notice that “it is old and well-known as well as common place that a wirecenter and a plat name are well-known attributes of plats.” Page 7 (emphasis removed). In response, Applicants respectfully submit that the claimed subject matter describes the viewing of requests to split a plat, where the location includes information about a location of a congested plat such that the location includes a wirecenter and a plat name. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Regarding claim 6, the Examiner has taken Official Notice that “it is old and well-known as well as common place in the information storage and workflow processing arts to store, in a database, information pertaining to task assignments, due dates, and dates on which assignments are made. See *e.g.*, Business Process Management 2002).” that a wirecenter and a plat name are well-known attributes of plats.” Page 8. In response, Applicants respectfully submit that the claimed subject matter describes the storing of a request to split a plat, where the database is operable to store an assignment date and the draftsman assigned to the request. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

b. Claims 8-14

As provided in independent claim 8, Applicants claim:

A method for assigning and managing split plat requests, comprising:

***receiving a request to split a plat into multiple plats, the request including information about a location of a congested plat;***

storing the request to split a plat in a centralized database which stores any open requests;

***assigning the request to split a plat to a draftsman;***

***instructing the database to record the assignment of the request;***

***receiving a closing request from the draftsman to close the request to split a plat; and***

***closing the request to split a plat responsive to the closing request.***

(Emphasis Added).

Applicants respectfully submit that independent claim 8 is allowable for at least the reason that *Al-Musallam* does not disclose, teach, or suggest at least “receiving a request to split a plat into multiple plats, the request including information about a location of a congested plat . . . assigning the request to split a plat to a draftsman; instructing the database to record the assignment of the request; receiving a closing request from the draftsman to close the request to split a plat; and closing the request to split a plat responsive to the closing request,” as emphasized above.

As stated in *Al-Musallam*, “[t]he main objective of this thesis is to use computer technology to develop a Web-based approach for incorporating information into the architectural drawings of a building construction project. The research will develop a systematic and unified approach for linking building components on the drawings to all the other related document of a construction project including specifications, contracts, schedules, codes and standards, or all other related drawings and details (Figure 1.1). Subjects may include dimensions, materials, zoning, fire and life safety, structural, fire protection, plumbing, mechanical and electrical information along with recommended schedules. The drawings then would provide any building team member with the correct information on all the appropriate documents for a specific building component.” Page 5, section 1.3.

*Al-Musallam* further discloses: "It is difficult to search for information scattered throughout unorganized project documents. Therefore, CoSys develops a platform for the structuring of these documents by creating an organizational framework and automating the process of classifying the documents. The purpose of organizing the documents is to make certain that the process of searching for the right documents, accessing them, and even assigning them to the right construction member is systematic and productive. Organizing the documents also allows the user to easily navigate and explore them." Page 80, section 4.4

"The, CoSys approach divides the users into different categories and levels. The categories are based on the disciplines, i.e., architect, building owner, general contractor, construction manager, engineer, subcontractor, vendor, etc. Within each category there are also different levels of document accessibility and authorization, including: view documents, make notes and comments, add/edit/delete documents, add/remove project members, and change member accessibility and authorization level." Page 102, section 5.2.2.

*Al-Musallam* also describes pre-existing software applications for viewing architectural drawings, such as ProjectWise which allows team members to be assigned individual levels and colors, so "everyone sees what the other team members are doing in the same drawing version." See page 56, Section 3.7.1.

As such, *Al-Musallam* fails to disclose an approach that receives a request from a user to split a plat; that assigns an open request to a draftsman; and that instructs a database to close an open request responsive to an input from the draftsman.

The Office Action states it is old and well known to split congested plats, as evidenced by Applicant's disclosure. However, in reviewing the background section of Applicant's disclosure, it is noted that a record maintenance center may alter existing drawing records. See page 2. The process of splitting a congested plat is not described or referenced in the background section.

Further, the Office Action states that a method for assigning and managing split plat requests comprising "receiving a request to split a plat into multiple plats, the request including information about a location of a congested plat . . . assigning the request to split a plat to a draftsman; instructing the database to record the assignment

of the request; receiving a closing request from the draftsman to close the request to split a plat; and closing the request to split a plat responsive to the closing request” is an intended use of systems and methods that are old and well-known and not to be given patentable weight. In response, Applicants respectfully disagree and submit that the claimed subject matter describes a method comprising acts not taught or suggested by cited art. Accordingly, this limitation complies with MPEP 2106 and is entitled to be given patentable weight.

On a related point, the Examiner has taken Official Notice that “it is old and well-known as well as common place to utilize workflow systems/methods to manage the assignment of requests (e.g. drawing change request, tasks) to draftsman (staff, engineers, workers, etc.) and further the assignment of plat related edits, including but not limited to the splitting of congested plats, to draftsman is a well known business practice in the telecommunications industry.” Page 4. In response, Applicants submits that the assignment of a general request to a worker is not analogous to an assignment of a request to split a plat to a draftsman, as described in claim 8. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Per MPEP 2144.03(A), “It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known.” Also, per MPEP 2144.03(B), “If such notice is taken, the basis for such reasoning must be set forth explicitly. The Examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge.”

As specific factual findings predicated on sound technical and scientific reasoning in support of the conclusion of common knowledge are not provided in the Office Action, the Official Notice and the rejections based upon this finding should be withdrawn. Further, under 37 CFR § 1.104(d)(2), if the rejections are based on facts within the personal knowledge of the examiner, “the data should be stated as specifically as possible, and the facts must be supported, when called for by the applicant, by an affidavit from the examiner. Such an affidavit is subject to contradiction



or explanation by the affidavits of the applicant and other persons.” Therefore, if this rejection is maintained, Applicants respectfully request that document(s) be provided as support.

For at least these reasons, claim 8 is allowable over *Al-Musallam*. Since claims 9-14 depend from and include the features of claim 8 and recite additional features, claims 9-14 are allowable as a matter of law over the cited art.

Further, regarding claim 10, the Examiner has taken Official Notice that “it is old and well-known as well as common place in the information storage and database management arts to employ the use of data filters, as evidenced in *Al-Musallam* page 108. ‘Two arrays to hold the filter information...’, so that only specified data or documents are retrieved from a database.” Page 6. In response, Applicants respectfully submit that the claimed subject matter describes the viewing of open requests to split a plat by a state in which the plat is located. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Regarding claim 11, the Examiner has taken Official Notice that “it is old and well-known as well as common place to utilize workflow systems/methods to manage the assignment of requests (e.g. drawing change request, task) to draftsman (staff, engineers, workers, etc.) and further, to employ database management processing capabilities so that only desired or pertinent information is retrieved from a database and the use of data filters so that only specified data or documents are retrieved from a database.” Pages 6-7. In response, Applicants respectfully submit that the claimed subject matter describes the viewing of requests to split a plat that have been assigned to a draftsman. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Regarding claim 12, the Examiner has taken Official Notice that “it is old and well-known as well as common place that a wirecenter and a plat name are well-known attributes of plats.” Page 7 (emphasis removed). In response, Applicants respectfully submit that the claimed subject matter describes the viewing of requests to split a plat, where the location includes information about a location of a congested plat such that the location includes a wirecenter and a plat name. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the

finding of Official Notice. Regarding claim 13, the Examiner has taken Official Notice that "it is old and well-known as well as common place in the information storage and workflow processing arts to store, in a database, information pertaining to task assignments, due dates, and dates on which assignments are made. See e.g., Business Process Management 2002)." that a wirecenter and a plat name are well-known attributes of plats." Page 8. In response, Applicants respectfully submit that the claimed subject matter describes the storing of a request to split a plat, where the database is operable to store an assignment date and the draftsman assigned to the request. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

c. Claims 15-21

As provided in independent claim 15, Applicants claim:

A computer-readable storage medium storing a computer program for assigning and managing split plat requests, comprising:

***receiving a request to split a plat into multiple plats, the request including information about a location of a congested plat;***

storing the request to split a plat in a centralized database which stores any open requests;

***assigning the request to split a plat to a draftsman;***

***instructing the database to record the assignment of the request;***

***receiving a closing request from the draftsman to close the request to split a plat; and***

***closing the request to split a plat responsive to the closing request.***

(Emphasis Added).

Applicants respectfully submit that independent claim 15 is allowable for at least the reason that *Al-Musallam* does not disclose, teach, or suggest at least "receiving a request to split a plat into multiple plats, the request including information about a location of a congested plat . . . assigning the request to split a plat to a draftsman; instructing the database to record the assignment of the request; receiving a closing request from the draftsman to close the request to split a plat; and closing the request to split a plat responsive to the closing request," as emphasized above.

As stated in *Al-Musallam*, “[t]he main objective of this thesis is to use computer technology to develop a Web-based approach for incorporating information into the architectural drawings of a building construction project. The research will develop a systematic and unified approach for linking building components on the drawings to all the other related document of a construction project including specifications, contracts, schedules, codes and standards, or all other related drawings and details (Figure 1.1). Subjects may include dimensions, materials, zoning, fire and life safety, structural, fire protection, plumbing, mechanical and electrical information along with recommended schedules. The drawings then would provide any building team member with the correct information on all the appropriate documents for a specific building component.” Page 5, section 1.3.

*Al-Musallam* further discloses: “It is difficult to search for information scattered throughout unorganized project documents. Therefore, CoSys develops a platform for the structuring of these documents by creating an organizational framework and automating the process of classifying the documents. The purpose of organizing the documents is to make certain that the process of searching for the right documents, accessing them, and even assigning them to the right construction member is systematic and productive. Organizing the documents also allows the user to easily navigate and explore them.” Page 80, section 4.4

“The, CoSys approach divides the users into different categories and levels. The categories are based on the disciplines, i.e., architect, building owner, general contractor, construction manager, engineer, subcontractor, vendor, etc. Within each category there are also different levels of document accessibility and authorization, including: view documents, make notes and comments, add/edit/delete documents, add/remove project members, and change member accessibility and authorization level.” Page 102, section 5.2.2.

*Al-Musallam* also describes pre-existing software applications for viewing architectural drawings, such as ProjectWise which allows team members to be assigned individual levels and colors, so “everyone sees what the other team members are doing in the same drawing version.” See page 56, Section 3.7.1.

As such, *Al-Musallam* fails to disclose an approach that receives a request from a user to split a plat; that assigns an open request to a draftsman; and that instructs a database to close an open request responsive to an input from the draftsman.

The Office Action states it is old and well known to split congested plats, as evidenced by Applicant's disclosure. However, in reviewing the background section of Applicant's disclosure, it is noted that a record maintenance center may alter existing drawing records. See page 2. The process of splitting a congested plat is not described or referenced in the background section.

Further, the Office Action states that a method for assigning and managing split plat requests comprising "receiving a request to split a plat into multiple plats, the request including information about a location of a congested plat . . . assigning the request to split a plat to a draftsman; instructing the database to record the assignment of the request; receiving a closing request from the draftsman to close the request to split a plat; and closing the request to split a plat responsive to the closing request" is an intended use of systems and methods that are old and well-known and not to be given patentable weight. In response, Applicants respectfully disagree and submit that the claimed subject matter describes a method comprising acts not taught or suggested by cited art. Accordingly, this limitation complies with MPEP 2106 and is entitled to be given patentable weight.

On a related point, the Examiner has taken Official Notice that "it is old and well-known as well as common place to utilize workflow systems/methods to manage the assignment of requests (e.g. drawing change request, tasks) to draftsman (staff, engineers, workers, etc.) and further the assignment of plat related edits, including but not limited to the splitting of congested plats, to draftsman is a well known business practice in the telecommunications industry." Page 4. In response, Applicants submits that the assignment of a general request to a worker is not analogous to an assignment of a request to split a plat to a draftsman, as described in claim 15. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Per MPEP 2144.03(A), "It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be

well known are not capable of instant and unquestionable demonstration as being well-known.” Also, per MPEP 2144.03(B), “If such notice is taken, the basis for such reasoning must be set forth explicitly. The Examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge.”

As specific factual findings predicated on sound technical and scientific reasoning in support of the conclusion of common knowledge are not provided in the Office Action, the Official Notice and the rejections based upon this finding should be withdrawn. Further, under 37 CFR § 1.104(d)(2), if the rejections are based on facts within the personal knowledge of the examiner, “the data should be stated as specifically as possible, and the facts must be supported, when called for by the applicant, by an affidavit from the examiner. Such an affidavit is subject to contradiction or explanation by the affidavits of the applicant and other persons.” Therefore, if this rejection is maintained, Applicants respectfully request that document(s) be provided as support.

For at least these reasons, claim 15 is allowable over *Al-Musallam*. Since claims 16-21 depend from and include the features of claim 15 and recite additional features, claims 16-21 are allowable as a matter of law over the cited art.

Further, regarding claim 17, the Examiner has taken Official Notice that “it is old and well-known as well as common place in the information storage and database management arts to employ the use of data filters, as evidenced in *Al-Musallam* page 108. ‘Two arrays to hold the filter information...’, so that only specified data or documents are retrieved from a database.” Page 6. In response, Applicants respectfully submit that the claimed subject matter describes the viewing of open requests to split a plat by a state in which the plat is located. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

Regarding claim 18, the Examiner has taken Official Notice that “it is old and well-known as well as common place to utilize workflow systems/methods to manage the assignment of requests (e.g. drawing change request, task) to draftsman (staff, engineers, workers, etc.) and further, to employ database management processing capabilities so that only desired or pertinent information is retrieved from a database and the use of data

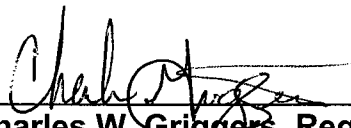
filters so that only specified data or documents are retrieved from a database.” Pages 6-7. In response, Applicants respectfully submit that the claimed subject matter describes the viewing of requests to split a plat that have been assigned to a draftsman. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice. Regarding claim 19, the Examiner has taken Official Notice that “it is old and well-known as well as common place that a wirecenter and a plat name are well-known attributes of plats.” Page 7 (emphasis removed). In response, Applicants respectfully submit that the claimed subject matter describes the viewing of requests to split a plat, where the location includes information about a location of a congested plat such that the location includes a wirecenter and a plat name. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice. Regarding claim 20, the Examiner has taken Official Notice that “it is old and well-known as well as common place in the information storage and workflow processing arts to store, in a database, information pertaining to task assignments, due dates, and dates on which assignments are made. See *e.g.*, Business Process Management 2002).” that a wirecenter and a plat name are well-known attributes of plats.” Page 8. In response, Applicants respectfully submit that the claimed subject matter describes the storing of a request to split a plat, where the database is operable to store an assignment date and the draftsman assigned to the request. The foregoing has not been demonstrated to be well-known and therefore, Applicants respectfully traverse the finding of Official Notice.

### **CONCLUSION**

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

  
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